

FILED

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

UNITED STATES DISTRICT COURT

for the

2025 FEB 18 P 4: 55

Eastern District of Virginia

Alexandria Division

Case No.

1:25-CV-307-MSN-IDD

(to be filled in by the Clerk's Office)

Amer Rizvi

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Sterling Middle School and Loudoun County Public Schools

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☐ Yes ☒ No

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Amer Rizvi</u>
Street Address	<u>20937 Colecroft Square</u>
City and County	<u>Ashburn Loudoun</u>
State and Zip Code	<u>VA 20147</u>
Telephone Number	<u>5712171153</u>
E-mail Address	<u></u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

Defendant No. 1

Name	Sterling Middle School
Job or Title <i>(if known)</i>	
Street Address	201 W Holly Ave
City and County	Sterling Loudoun
State and Zip Code	VA 20164
Telephone Number	5714344520
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	Loudoun County Public Schools
Job or Title <i>(if known)</i>	
Street Address	21000 Education Court
City and County	Ashburn Loudoun
State and Zip Code	VA 20148
Telephone Number	5712521000
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	Sterling Middle School
Street Address	201 W Holly Ave
City and County	
State and Zip Code	VA 20164
Telephone Number	5714344520

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to *(check all that apply)*:

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☒ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

- ☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Other federal law *(specify the federal law)*:

- ☐ Relevant state law *(specify, if known)*:

- ☐ Relevant city or county law *(specify, if known)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts *(specify)*: _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)
August 2022 to February 2025

C. I believe that defendant(s) *(check one)*:

- ☒ is/are still committing these acts against me.
- ☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☒ race Asian
 - ☒ color Brown
 - ☐ gender/sex _____
 - ☒ religion Islam
 - ☒ national origin Pakistani
 - ☒ age *(year of birth)* 1967 *(only when asserting a claim of age discrimination.)*
 - ☐ disability or perceived disability *(specify disability)* _____
-

E. The facts of my case are as follows. Attach additional pages if needed.

REMOVED FROM THE SCHOOL PREMISES

On 2/24/2024, Ms. Angela Wiley-Smith, a representative of Human Resources, arrived at the start of the school day and read aloud several allegations to me, all of which were fabricated. Because of these fabricated allegations, my laptop, classroom keys and school badge were taken, and I was escorted out of the school premises. I was not given any prior notice that this would happen. The action was done to humiliate me in front of school personnel and students. I saw the vice principal, Ms. Elena Barham, who collected and presented these fabricated allegations to HR, sitting on a chair and watching me escorted out of the school office. She smirked at me as I was escorted out of the school office. I was placed on administrative leave and was never informed of the findings from an investigation conducted in relation to these fabricated charges.

FORCED TO RESIGN

On 5/13/2024, I was summoned to a meeting at the administration building by Ms. Tanisha Holland, Director of Talent Development at HR, regarding my summative evaluation. However, I was handed a letter of resignation titled as "voluntary". I was informed that if I did not complete, sign and submit the letter within five working days, my termination from employment, which had been authorized by the school superintendent, would be processed. I signed the letter on 5/17/2024 but wrote above my signature, "I was threatened with termination if this letter was not submitted within five working days."

DISPARAGED DURING MEETING IN ADMINISTRATION BUILDING

During this meeting on 5/13/2024, I was handed my summative assessment by Ms. Holland that was entirely negative and contained multiple false and misleading statements. None of the fifty-four teaching standards was checked, which was unprecedented. Furthermore, in a prior evaluation, my evaluator, Ms. Elena Barham, had repeatedly misspelled my family name, "Rizvi". Given that my surname holds significant cultural and religious importance due to my claimed lineage through Prophet Muhammad (May God bless him), I requested Ms. Holland that my name be spelled correctly as a matter of professional, cultural and religious respect. I submitted this request twice and provided supporting documentation, including my family tree tracing my lineage back to Prophet Muhammad (May God bless him.) Despite these requests, my name was once again misspelled on the Summative Evaluation Report, a total of 38 times. Additionally, on the cover page of the evaluation report handed to me by Ms. Holland, it was crossed out with a black marker and rewritten over the smudge, an intentional and visually conspicuous act of disparagement for my culture and religion.

ISSUED AN IMPLIED THREAT

During this same meeting, I explicitly informed the three individuals present, Mr. Fitzroy Frew, the principal, Ms. Elena Barham, and Ms. Tanisha Holland, Director of Talent Development at HR, that the summative evaluation of me was discriminatory. I further stated that I would be submitting a comprehensive rebuttal, including audio evidence, to contest the false and misleading claims in the evaluation. Shortly after Ms. Holland exited the room, Mr. Frew and Ms. Barham, my two evaluators, unexpectedly inquired about my two daughters, who were both students within the jurisdiction of the school district. The mention of my children served no relevant function, given the timing and context immediately following my assertion of discrimination and my intent to challenge the evaluation. This inquiry was an attempt to instill fear and discourage me from pursuing my complaint.

MAIN REASON FOR NUMEROUS ACTS OF RETALIATION

I saw a conscientious child, around 13 years old, Mr. Miles Carlisle, being abused on 9/30/2023 by Mr. Frew on his live schoolwide TV news program, "Fridays with Frew". Mr. Frew elbowed the child multiple times and made sexually inappropriate remarks to him on the program. The principal repeatedly mocked Mr. Miles as the boy vociferously defended himself. Mr. Miles moved his chair away from the principal several feet during the program. As a mandated reporter of child abuse, I reported the principal to HR. (Please note that I also reported the principal to HR and to Child Protective Services for touching three female students inappropriately while making sexually inappropriate remarks to them on three separate episodes of his "Friday's with Frew" news program.)

THREATENED FOR REPORTING RACIAL DISCRIMINATION

I recorded the program video and emailed it to HR and filed a formal complaint. Ms. Sharon Bean, an HR Workplace Relations Supervisor, promised me that "the matter will be addressed" and that "I will not share your name." I also communicated with Ms. Ashely Stocks, another HR personnel, that I feared retaliation from Mr. Frew and to keep my child abuse complaint confidential. (I was afraid of receiving retaliation from Mr. Frew because on 9/20/2023, Mr. Frew had issued threatening statements to me when I wanted to complain to HR about a racist comment made against a Black child, Mr. Akram Hashim, whose parents were from Sudan, Africa; "You are so black," Mr. Hashim was mocked by another student. I sent an email to Mr. Frew and Ms. Barham complaining about this incident. Mr. Frew called me to a meeting in his room and told me, "Try not to put something like that in writing." I stated that I wanted to document it. "You want documentation as if you want to leave a paper trail," replied Mr. Frew. When I asked him if I could complain to HR, he replied, "Going to HR doesn't scare me. You are not threatening my job." On another occasion, 1/25/2024, when Mr. Hashim was called "n - - - r" by another student, Mr. Frew told me to report the incident to him privately and not on MS Teams, as was the usual protocol. Mr. Frew discouraged me from reporting racial discrimination as per the protocol. I believe Mr. Frew was worried that the extent of racial discrimination at this LCPS public school would become exposed. When I asked Mr. Frew to

please not get angry during the meeting, he replied, "I am not gettin' angry. Sir, you'll know if I am gettin' angry.")

Mr. Frew's threat for reporting his child abuse

During a meeting I had on 11/21 /2023, with Mr. Frew and Ms. Barham in a room at the school office, Mr. Frew diverged from the meeting agenda and informed me that "someone (referring to me) recorded the morning announcement and submitted it to HRTD (Human Resources and Talent Development), and HRTD accepted it, and they shared with me (Mr. Frew) who did it to say that I (Mr. Frew) had committed child abuse which is something that could've got me fired a month into my principalship after working twenty some years to get there." There was anger in Mr. Frew's tone. He said he was "bothered" by the child abuse report and that he now had an issue with trusting me. I complained to HR about why my name was leaked given their promise to me to keep my name confidential and my fear of retaliation. HR did not inform me of any action taken.

NEGATIVE TEACHER EVALUATIONS IMMEDIATELY FOLLOW MY CHILD ABUSE REPORT

The retaliatory acts against me for being a whistleblower were many. They included two back-to-back negative teacher observations in November 2023. Unlike all the other teachers, I was not given a choice to choose the date of my observation. The language, tone, spelling, sentence syntax and vocabulary in the observation reports disparaged me and my culture as well. I complained to HR it did not inform me of any action.

BEING HARRASED BY MR. FREW AND MS. BARHAM IN THE SCHOOL OFFICE

I was continuously harassed by Sterling Middle School administrators from the first day of school, 8/25/2022, up until 5/13/2024 for being a whistleblower. (Please note that my harassment began under Ms. Barham and Ms. Colleen O'Neil, the principal prior to Mr. Frew joining the school for the 2023/2024 school year.) During this period, I was repeatedly summoned to a room in the school office, given constant unfair criticism, and questioned by two or more administrators seated around me. I would sometimes be pulled out of my classroom, in the middle of a lesson, without being told why. I repeatedly complained to the Supervisor of Workplace Relations, Ms. Ashley Stocks, about being bullied and harassed by Mr. Frew and Ms. Barham during these meetings. I requested her to kindly allow me to take a teacher of my choice (like Ms. Nabeela Mahmud, who was also a Muslim of Pakistani origin) to the meeting room for support. Ms. Stocks denied my request. I was very stressed when I left these meetings. My health began to deteriorate, and I began missing school out of fear of attending the meetings. I would get back pain at night and vomit because of the severe pain. My

doctor advised me to change my job because of my Sciatica pain flaring up due to the deliberate stress I was subjected to.

BEING ASKED TO PRODUCE A DOCTOR'S NOTE

I was absent from work for several days starting on 10/25/2024 due to Sciatica pain. Both Mr. Frew and Ms. Barham knew about my condition and my fear of attending meetings alone with them. I had reached out to HR multiple times about being bullied by these administrators and requested support. Despite my absence, they sent me emails inquiring about my illness and mentioned that a stressful meeting regarding my attendance would be scheduled upon my return. I asked Mr. Frew if I could bring a teacher of my choice to accompany me to the meeting, but he refused. During my time off, my doctor advised me to rest and avoid physical activity, yet Mr. Frew repeatedly requested that I email him a doctor's note. I was hesitant to share details about my illness with him and Ms. Barham, fearing they would exploit the information and further harass me during meetings. I had already submitted my doctor's note as required through the LCPS system and to Ms. Laura Bidwell, the Leave and Disability Specialist. Additionally, there was a situation where Mr. Frew falsely informed Ms. Bidwell that I had been absent for three consecutive days, which required me to provide another doctor's note. I reported this to HR, but they did not communicate any actions taken in response.

HARRASED BY MY COTEACHER IN FRONT OF THE STUDENTS IN CLASS Ms. Elisa Bennett was the main teacher in our classroom. I was the ELL support teacher. Ms. Bennett shared a cultural background with the class students being Christian and part Peruvian. The student body is mostly Hispanic and Christian. I am a Muslim, male, brown, of Pakistani origin, and 57 years old. There are very few Muslim students in the school. Being the classroom teacher, Ms. Bennett held considerable sway over the students. Ms. Bennett, over the course of the school year, repeatedly disparaged me in front of the entire class of students. For example, on 12/19/2023, when I asked students to not cheat during a test, Ms. Bennett said to the class, "I cannot stand for grown adults to take on kids for no reason..." "I am going to have you removed from Mr. Williams (the building manager) because I am over it." Ms. Bennett also often referred to my age in front of the students. "You are too old to be acting like this." "I apologize for how I am acting but honestly I cannot stand for grown adults to take on kids for no reason, and he doesn't even do his job and you all know that," "Do me a favor and stay out of my face and do your job. If you keep on, you can get out. How about that?" On 1/23/2024, for example, I was engaged in a kinesthetic ESL activity in the classroom by having students catch a soft stuffed toy animal that I would pass around. Mr. Witcher, a teacher in the school, was the substitute in the classroom with me. Ms. Bennett was not in the classroom and did not see the activity. When Ms. Bennett returned to the classroom she stated, again, in front of the students, "As an adult, you should not throw things around. If you continue to do so, I will have you removed from the classroom every single time you do something." "Why are you throwing

things at kids? Do not do that in my classroom.” On 2/25/2024, Ms. Bennett disparaged me for my age in front of the students when I was not in the classroom, “I can only imagine what it’s like to be a student because of unnecessary stress from an adult...”

I filed a complaint with HR against Ms. Bennett’s repeated harassment of me. I received no reply.

NEGATIVE AFFECT ON STUDENTS ON MY DISPARAGEMENT BY MY COTEACHER

The students were negatively affected by Ms. Bennett’s continued disparagement and bullying of me throughout the school year. They, too, told me, for example, that I was not an adult, or a teacher, but only a substitute. They continued to model their classroom teacher’s behavior towards me.

DISPARAGED IN FRONT OF SCHOOL EMPLOYEES

On 1/30/2024, in a CLT meeting, in the presence of various staff members this time, Ms. Bennett, being the school equity lead, in addition to being a classroom teacher, and in a position of authority, verbally attacked me for several minutes as I chose to remain silent. She again threatened me that she would have me removed from the classroom, “I am going to tell you now in front of everybody, if you get into another altercation with our students, I am going to message in Teams, from someone to remove you.” Not only was I threatened with physical removal, but I was also slandered in the meeting. Ms. Bennett was referring here to a specific class on 1/23/2024. I was never involved in any altercation with any student. Ms. Bennett was not even present in the classroom and was likely referring to a soft stuffed toy animal I was passing around in the classroom. Mr. Witcher was present with me throughout the class as a witness. In addition, the full audio recording of the class, which I recorded, can disprove Ms. Bennett’s slander that there was an altercation of any kind in the class. I had complained to HR about this slander but, as usual, did not receive any communication or action taken.. Ms. Bennett continued to verbally attack me in the meeting, “You (Mr. Rizvi) are not going to demand respect from my students or from myself,” and that I need to “get out,” that I need go elsewhere to work. No one tried to stop the equity lead from verbally attacking me during the meeting. I was a vulnerable Muslim minority with little support in the school and from a hostile HR department and could easily be harassed and threatened

DISPARAGED BY MS. BENNETT IN THE TEACHERS LOUNGE

On 2/15/2024, Ms. Bennett entered the teacher’s lounge while I was eating my lunch. While I was eating, Ms. Bennett yelled at me: “I am not encouraging students. I am trying to save you.” (I had informed the building manager, Mr. Williams, about this Ms. Bennett’s actions.) Mr. Garabito, a grade 8 Math and Computer Science teacher at STM, was in the teachers’ lounge and immediately left when he heard Ms. Bennett screaming at me. I chose to remain silent, as per my training, and did not reply back I continued to eat my sandwich. After Ms. Bennett

yelled the two statements and got no reply from me, she left the teacher's lounge. I complained to HR, but did not receive any reply.

SLANDERED BY MS. BENNETT IN THE PRESENCE OF A COTEACHER.

Ms. Bennett slandered me in the presence of Mr. Kevin Cowles, another one of my coteachers, "He has the nerve. I asked him politely. I said please do not f__k up around* in my classroom when we tell the kids not to do behaviors. As an adult, you should be doing, behaviors..." In addition, "It's always my B-days. Because of him when I'm with him all day long. And he does stupid s__t from the morning until the afternoon."

MS. BENNETT COLLUDED WITH A COTEACHER TO MAKE ME MISS STAFF MEETINGS

I was struggling to keep track of meetings at school, and when I missed a department meeting, Mr. Frew and Ms. Barham called me in for disciplinary action. Despite requesting help from Mr. Frew to get reminders about meetings, my request was denied. On 1/23/2024, my co-teachers apparently conspired to ensure I missed a department meeting. In an audio recording, Mr. Cowles suggested they should keep quiet about the meeting, implying I was unaware it was happening. Additionally, they also worked together to have me miss a federally mandated IEP meeting, where my representation as a teacher from a diverse background was crucial. In another recorded exchange, Mr. Cowles stated he would lie about the IEP meeting's timing to me, to which Ms. Bennett agreed. I reported this collusion to HR, providing them with the audio evidence, but received no response. I also plan to address how these same co-teachers likely shared concerns about my interactions with students, leading to a school-wide investigation that ultimately found no issues.

DISCOURAGED FOR HELPING A PROTECTED MINORITY IN CLASS

On 9/27/2023, while teaching a class with my co-teacher Ms. Elisa Bennett, I noticed two Black girls sitting apart and decided to have them sit together for comfort. I also complimented one of the girls on her drawing, saying, "That's so pretty." This led a Hispanic student, Mia, to call me a "racist." When I addressed Mia about her comment, Ms. Bennett intervened, stating that students have rights and suggesting that Mia's perception was valid. After class, Mia struggled to articulate why she called me a racist, eventually saying, "I don't know. I guess it's because he always helps the quiet kids; you know the smart ones."

CALLED A RACIAL SLUR BY MS. BENNETT

After school, on 11/10/2023, I had a conversation with Ms. Bennett in the classroom. Ms. Bennett, a science teacher, was also an equity lead at the school. Ms. Bennett called me a "Paki," "You're a Paki," she said, with a smirk. I was disturbed because of the slur and informed Dr. Vicky Crocker the next school day. I also informed Ms. Mahmud, about Ms. Bennett's remark. I reported the slur to HR and failed to receive a response.

STUDENTS MANIPULATED BY MS. BENNETT, THE EQUITY LEAD, AGAINST ME.

Ms. Bennett, the school equity lead, manipulated students to bring up charges against me but say in public she wanted to “protect me.”

Ms. Bennett, being the main teacher in the classroom and having sway over the students, on 2/15/2024, in two classes, when I was not in the classroom, manipulated students to concoct a series of fictitious charges against me. On 2/15/2024, Ms. Bennett encouraged the students to report their charges against me. She said to the students in class, “Like y’all can’t keep taking stuff. Like ya’ll gotta start speaking up. Because what is happening...”

She asked the students to talk or to email their charges against me “...to Ms. Barham as she’s the one who’s going to handle them (the charges).” And that, “I’m (Ms. Bennett) going to give the details (to Ms. Barham who would upgrade the charges to HR). And she’s probably going to pull you guys in to discuss. When she does that, tell her everything. Ok?” These student charges, together with her own, were presented to Ms. Barham, who then forwarded them to HR which had me removed from the school premises. All parties colluded to have me removed from the school premises on 2/21/2024.

MS. BENNETT, THE EQUITY LEAD, DISCLOSED HER CONNECTIONS TO ME WITH HR

Ms. Bennett was not only a schoolteacher but also a school equity lead. On 11/16/2023, I informed Ms. Bennett that I would go HR to complain, Ms. Bennett replied, “I already know the people who work there.” The next day after school, in Mr. Cowles’ presence, Ms. Bennett stated how she “hangs around” with staff members from HR after school and is privy to information.

PLACED ON A “PLAN OF IMPROVEMENT” AND ASSIGNED EXTRA WORK

I was also placed on a “Plan of Improvement,” (POI), and required to submit numerous artifacts, including travelling 45 minutes immediately after school to attend workshops. Mr. Frew recommended me to the Superintendent for termination of employment in a letter that was handed to me on 5/13/2024.

DECEIVED INTO THINKING I HAD SUBMITTED ALL MY POI ARTIFACTS AND THEN REPORTED FOR MAKING NO PROGRESS ON THE POI

During a meeting with Mr. Frew and Ms. Barham on 2/2/2024, I was informed that there was no evidence of progress regarding my artifacts for the “Plan of Improvement” (POI) on the PERFORM website. However, I had already submitted all required artifacts via email between 9/11/2023 and 10/2/2023, and Ms. Barham had acknowledged receipt of these submissions with “Thank you” replies. For instance, on 9/18/2023, I sent an email with my documents attached, and Ms. Barham responded positively, requesting additional items by a specific deadline.

When I encountered issues with a large video file, Ms. Barham suggested I provide it on a flash drive, which I did. Despite this, four months later, I was told that there was no evidence of progress uploaded in PERFORM for my POI. I was never informed that I needed to upload the artifacts to PERFORM; both administrators had previously accepted my submissions via email. I believe Mr. Frew and Ms. Barham were setting me up to fail the POI. I filed a complaint with HR regarding this issue, but I did not receive any response.

TEACHER DESK REMOVED DUE TO RACIAL DISCRIMINATION

In my summative evaluation report dated 5/13/2024, it was noted that Mr. Martinez, the Director of Middle School Education, visited our school briefly in the fall of 2023. During this visit, he questioned my role in the classroom, suggesting that I was merely sitting and not assisting the teacher or students. He directed that co-teachers should not be seated and reading for pleasure, singling me out for this directive. Ms. Barham also mentioned in her observations that I was sitting at my desk in the front of the classroom.

Both Mr. Martinez and Ms. Barham appeared to take issue with a brown Muslim male teacher sitting at a desk, while several white teachers were allowed to do the same without reprimand. On 11/15/2023, Mr. Martinez's directive was enforced in a particularly humiliating way: my LCPS-issued teacher desk was removed without my consent. When I arrived at school that morning, my belongings were scattered on a tabletop, leaving me without a proper workspace in front of my students.

Ms. Barham claimed that the desk was removed because it was broken due to age, but it was actually in good condition, and I provided evidence of this to HR. I then purchased a plastic table to replace my desk, but on 11/17/2023, Ms. Bennett instructed me to move the table to the side of the room, labeling it a distraction for the students. My complaint to HR regarding racial discrimination related to the removal of my desk went unanswered.

REPEATEDLY INTIMIDATED BY BEING STALKED IN THE SCHOOL HALLWAYS

Dr. Gallardo would repeatedly intimidate me by following me in the school hallways. At times he would peek into my classroom, wait, and then dart off the moment I made eye contact with him. Once, he followed me to a meeting I was going to have in the school office after I had finished praying in the school library. He could have only known my location in the library by observing the hallway camera videos in the school office. These acts were done repeatedly to instill fear in me. There were several times when Dr. Gallardo would appear in the teachers' lounge when I was discussing protected activity with other ELL teachers. The last instance of this behavior occurred on 2/8/2024. I filed a complaint with HR to check the hallway camera videos. HR failed to respond to my complaint.

HARRASSED BY BEING GIVEN AN IMPOSSIBLE TASK AT WORK TO CAUSE ME TO FAIL

On 12/7/2023, the administrators at Sterling Middle School orchestrated a situation that seemed designed to undermine my effectiveness in my role. I was assigned a SPED student, Alexandra Villalobos, who has ADHD and significant attention difficulties, to assist me during my hall monitoring duty for the Virginia Growth Assessment (VGA), a state-mandated standardized exam. This assignment was unique, as no other teacher was given a student requiring such accommodations for their hall monitoring responsibilities.

Throughout my duty, I was closely observed by Dr. Gallardo, who later reprimanded me for failing to maintain “testing conditions” in the hallway. Given the circumstances—monitoring the halls while also needing to keep a student with serious attention issues engaged—maintaining those testing conditions was virtually impossible. It raised serious concerns about the school using a state mandated examination as a means to set me up for failure in my professional duties.

I brought this issue to Ms. Ashley Stocks, but she could not see how assigning a SPED student with ADHD to assist me during such a critical responsibility would create distractions and hinder my ability to maintain the required testing conditions.

DEFAMAED BY TAMPERING WITH THE PRAISES I RECEIVED

Mr. Frew would email praises that staff members gave each other on a weekly basis. Only the praises I received, among all the praises that teachers were sent with, were tampered with. I also received a “Trusted Adult” certificate from one of my Advisory students. I had posted it outside my classroom for all students to see. The certificate was moved to another location while I was on administrative leave to appear that I was not the recipient. This action occurred when HR stated it was carrying out its investigation into the fictitious charges for which I was removed from the school premises. I believe the certificate was moved in March of 2024. I complained to HR which forwarded my complaint to Mr. Martinez. I received a letter by certified mail, dated 3/13/2024, that stated that, “Personnel action, if appropriate will be taken” and upon asking what actions were taken, Mr. Martinez replied, “I cannot share anything further about any personnel action that may have been taken regarding another employee.”

EXTRA REQUIREMENTS ATTACHED TO THE APPROVAL OF A MUSLIM RELIGIOUS CLUB THAT I FOUNDED

I initiated the "Muslim Cultural Bridges Club" in October 2023 to create a welcoming environment for Muslim students at the school. However, Mr. Frew consistently delayed the approval of my request to start the club. When I inquired with House Dean Mr. Straka about the reasons for the delay, he was unable to provide a clear answer. After raising the issue with Ms. Stocks in HR, the club was finally approved, but Mr. Frew imposed a threat that a school administrator could attend any club meeting at any time without prior notice. This requirement

was not placed on any other clubs within the school. Additionally, I was asked to provide detailed information about the discussions planned for our meetings, which was more extensive than the brief descriptions required from other clubs. Mr. Straka indicated that this extra scrutiny was due to the “sensitive” nature of my diversity club, while a Bible study club held after school faced no such restrictions. The Muslim students in the club had developed strong relationships with me and expressed concern to Ms. Mahmud, my co-facilitator, about my absence, questioning why their Muslim teacher was no longer at the school. Unfortunately, I was unjustly removed from the public school premises on 2/21/2024.

CREATED A HOSTILE WORK ENVIRONMENT AND THREATENED ME WITH TERMINATION OF EMPLOYMENT FOR REPORTING RACIAL DISCRIMINATION

A Black student raised concerns about Ms. Edna Capriotti, a veteran white math teacher and my co-teacher, alleging that she was exhibiting racist behavior. During class, Ms. Capriotti referred to white chips on the SMART board as “good guys” and black chips as “bad guys,” which understandably upset the child. A meeting was subsequently held with the school counselor, Ms. Thomare, where Ms. Capriotti apologized to the student in my presence. However, the following day, on 9/15/2022, Ms. Capriotti repeated her racially insensitive terms while explaining subtraction of negative numbers, again using the same language.

After class, I approached Ms. Capriotti to inform her that she was repeating the problematic behavior. She dismissed my concern and looked away. Concerned about the potential impact on Aliyah, an African American student in a later math class, I emailed the principal, Ms. Colleen O’Neil, to alert her about Ms. Capriotti’s remarks, but I did not receive a response.

Later that day, during a Collaborative Learning Team (CLT) meeting with several white math teachers, including Ms. Capriotti, I attempted to address the child’s complaint about Ms. Capriotti’s language while demonstrating subtraction of negative numbers as requested by Division Instructional Facilitator, Ms. Michelle Spiers. When I brought up the complaint, Ms. Spiers instructed me to leave the meeting and threatened to call security if I did not comply. I asserted that I had engaged in a protected activity and refused to leave my seat.

Dr. Gallardo entered the meeting room and observed me seated while others stood. the next day, on 9/16/2022, I received a letter from Ms. O’Neil accusing me of creating “a hostile work environment,” with the threat of termination. However, this charge was later deemed “unfounded,” and Ms. O’Neil personally delivered a letter to me confirming this outcome. She subsequently emailed me with a directive to engage in cooperative behavior at work and to refrain from disrupting others or meetings. At that time, Ms. Barham was the vice principal.

SEPARATED ME FROM TEACHERS FOR REPORTING RACIAL DISCRIMINATION

A meeting was scheduled for 9/19/2022 to address and reconcile the issues I had raised, particularly concerning the racist math instruction I had witnessed. I was hopeful that I could finally share my concerns. However, upon entering the conference room, I was taken aback to see the three teachers immediately get up and leave. Dr. Twana Black, an HR Coordinator for Employee Relations, and Ms. Colleen O'Neil were both present and witnessed this disruptive behavior, which contradicted the directive I had received from the principal. No follow-up meeting was arranged, and the three teachers faced no consequences for their actions. I chose to remain seated and attended the meeting alone with Dr. Black. Unfortunately, instead of addressing my concerns about discrimination against the Black child, Dr. Black focused on critiquing my mannerisms, claiming that my hand movements and interruptions during the CLT meeting had affected the three white teachers. Subsequently, a school policy was instituted that required me to be separated from the three teachers, allowing me to be in the same space as them only in the presence of a school administrator. No explanation was provided for this separation, nor was I informed about when it would end. On 1/5/2023, while in the teachers' lounge to photocopy my WIDA certificate, I unknowingly encountered Ms. Simpson, one of the teachers I was supposed to avoid. Ms. Barham, the acting principal, reprimanded me for being in the lounge with her. The following day, an HR employee was sent to question me about my presence in the lounge with one of the three teachers. I explained that I had not been aware of Ms. Simpson's presence. I also inquired whether I would be permitted to enter the cafeteria if I wanted to eat a sandwich while one of the three teachers was there without an administrator present. The HR employee could not provide clarification or justification for the policy separating me from my colleagues. This separation made it increasingly difficult for me to fulfill my duties as a new ELL teacher, especially since I was required to teach math for the first time. I desperately needed to collaborate with my colleagues to understand the math curriculum and ask questions when necessary. Additionally, I constantly feared termination if I accidentally entered a space where one of the three white teachers was present. This environment fostered a state of fear for me at school. As an American citizen of Pakistani origin with over 24 years of experience teaching ESL—eight of those in the United States—I found this separation particularly distressing. The only other time I had experienced such treatment was in a public school in my home country, the USA.

GIVEN A NEGATIVE EVALUATION, EXTRA WORK AND PLACED ON A "PLAN OF IMPROVEMENT"

In the fall of 2022, I received a negative evaluation from Ms. Colleen O'Neil, despite not being given the opportunity to teach by my co-teachers, Ms. Capriotti and Ms. Margaret Meade. I was evaluated without having conducted any lessons, which was particularly frustrating since I had repeatedly expressed my concerns about not being allowed to teach in my role as an ELL teacher.

As a result of this evaluation, I was placed on a "Plan of Improvement" (POI). This plan mandated that I prepare detailed math lesson plans for each class, to be submitted a week in advance. This requirement was not imposed on any other teachers in the school, further

highlighting the inequity in treatment I faced. Additionally, my ability to collaborate freely with colleagues was severely restricted, making it even more challenging to fulfill my responsibilities effectively.

On top of these expectations, I was also required to attend several workshops outside of school and was assigned numerous other tasks, compounding my workload and adding to the already challenging situation I was experiencing.

CREATED A HOSTILE WORK ENVIRONMENT FOR ME BY TOLERATING HATE SPEECH

On 5/4/2023, I was given the opportunity to teach, but unfortunately, it led to a troubling incident. While I was at the SMART board, students began making jokes at my expense, and one student threw an object that narrowly missed hitting my eye. After this, I went to the nurse to have my eye examined. Upon returning to the classroom, I was informed by a student that a Swastika had been drawn on the board.

Concerned and frightened by this display, I reported the incident to the administration. In response, I received pictures of four colorful Swastikas along with a statement claiming, "Swastikas can be found in many cultures." I found this response unacceptable and communicated my concerns to the administration, but I received no reply for several days. Eventually, Ms. Barham responded, stating that the pictures and statement were merely information shared with me, which only added to my distress.

On 5/8/2023, during the next class meeting, another Swastika was drawn in nearly the same spot on the board. Following this incident, I was summoned to the school office on 5/9/2023 to discuss the findings of an alleged investigation, but I was not informed about who had drawn the Swastikas. During this meeting, Dr. Gonzalo Gallardo, a vice principal, referred to the Swastika as "an element of speech," while both he and Ms. Barham disagreed with my assertion that the Swastika is a symbol of hate.

Due to the administration's inadequate response to the Swastika drawings, I felt compelled to inform the school resource officer, Deputy Rivera. He simply told me to relay the information to my administrators. Feeling increasingly unsafe, I contacted the Loudoun County Sheriff's Department. It was only after my call that Deputy Rivera filed a report and provided me with a report number. Unfortunately, HR did not address my concerns regarding the administration's disinterested response to the Swastika incidents.

FAILED TO GIVE A RESPONSE TO A PIPE BOMB THREAT I RECEIVED TO MY HOUSE

Around May of 2023, when I was teaching a class, a student told me he would pipe bomb my house. I became fearful and informed the school administration. The student was simply moved to another section of the class next door. I was given no response from the administration or HR. The student saw me in the school hallways, the next school year, and gave me an intimidating look. The administration and HR failed to respond to my complaint and kept me, and my family, in fear.

NO ACTION TAKEN FOR A RACIAL DISCRIMINATION COMPLAINT

On 4/27/2023, Mr. Taylor, an acting administrator, who was white, came to my classroom door and asked me to step out of the classroom using a disparaging finger gesture; "Come here," he snapped. When I replied, "excuse me," he repeated the gesture and statement. No action was taken for my racial discrimination complaint against Mr. Taylor by the administration and HR.

MARGINALIZED BY DISPLAYING SYMBOLS FROM ANOTHER RELIGION

On 10/19/2022, during a Fall Quarterly Planning session for Math 6, Ms. Michelle Spiers, a Division Instructional Facilitator, began her presentation by projecting an image of the Church of the Dormition, a Catholic church located in Greece. This choice of imagery felt particularly marginalizing to me, as I was the only Muslim present in the room. Recognizing the potential implications, I immediately asked Ms. Spiers if the image depicted a church, to which she responded that it was simply an image of Greece. Dr. Twana Black, an HR representative, later addressed my complaint, suggesting that Ms. Spiers was merely "sharing a picture of Greece" and that I was interpreting it as a church image. However, it was unmistakably a close-up of a church, complete with the visible cross of the Catholic Trinity.

During this same session, Ms. Spiers also mentioned that students could graph Santa Claus, further highlighting a lack of sensitivity to the diverse beliefs represented in the room. Dr. Black dismissed my concerns, stating that the church image was just a "suggestion" in the context of the discussion.

In late February 2023, during another Math 6 CLT meeting, Ms. Jenni Simpson engaged in a "Connections before Content" activity where she expressed a desire to go back in time to be present with Jesus Christ and his disciples during a sermon on the mountain. Once again, I was the only Muslim present, and no acknowledgment was made regarding the implications of her comment. Ms. Spiers, aware of my previous discomfort from the incident in October, did not intervene.

Additionally, it became a recurring issue that the school administration would place stationery and other materials with religious markings from a local church in my mailbox. In contrast, I never received any items from mosques, synagogues, or temples. Despite my complaints about

feeling marginalized due to my faith, the administration continued to overlook the lack of inclusivity in their actions.

DISCOURAGED TO FILE A DISCRIMINATION COMPLAINT

On 11/15/2022, I received a letter from Dr. Twana Black accusing me of exhibiting "exclusionary behavior towards non-English speaking students versus students of Pakastanian descent." It's worth noting that the term "Pakastanian" is a culturally insensitive misspelling of my nationality, which further exemplifies the lack of understanding and respect for my background.

In her letter, Dr. Black claimed that my request for an interpreter as the EL instructor was "out of bounds" and suggested that it indicated to leadership that I was incapable of fulfilling the responsibilities of my position. This accusation was not only unfounded but also undermined my professional capabilities and intentions.

Additionally, the letter contained a warning against filing any further complaints. Dr. Black pointed out that my concern regarding the Fall Quarterly Planning session, which took place on 10/19/2022, was not reported until 11/4/2022. She implied that this delay indicated a pattern of retaliatory behavior on my part regarding "disagreeable behaviors, attitudes, or responses" from various parties.

The letter concluded with a threatening statement, indicating that I had already received multiple written reprimands in my employee file, and that further reprimands could lead to additional consultations with the human resources department. This communication not only dismissed my concerns but also created an environment of fear and intimidation regarding my position and ability to advocate for myself and my students.

HR TRIED TO FIND MISCONDUCT AS RETALIATION

HR interviewed children throughout the school to try to find allegations of misconduct on my part. In a staff meeting, Mr. Frew disclosed to me how he was directed by HR to conduct random interviews about me. I believe HR wanted did this to retaliate against me as I, a Muslim male, had accused a veteran LCPS administrator of child abuse. Mr. Frew obviously had a vested interest in conducting such interviews against me.

REMOVED FROM SCHOOL PREMISES FOR UNSUBSTANTIATED ALLEGATIONS AND RETALIATION

As I stated, I was removed from the school premises on fabricated charges and was not informed of the findings of any investigation, as I stated in my complaint to the EEOC. However, just before my "Right to Sue" letter from the EEOC was set to expire, I received two letters from the HR department from Ms. Alix Smith, Supervisor, Workplace Relations, on 2/25/2025 that all my charges were unfounded except for one. These findings were

communicated to me almost a year after the investigation into them was begun on 2/24/2024. I was further informed that this one “Founded” charge would be placed in “your personal file to document the findings.”

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

11/5/2024

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 11/19/2024 .

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☒

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

lost wages \$425,000 pension benefits \$25,000 Emotional Distress \$300,000 Health benefits \$25,000
Grand Total: \$775,000 and Removal of Fabricated charge from record

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 2/18/2025

Signature of Plaintiff

Printed Name of Plaintiff Amer Rizvi

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____